

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2001-23-T – ORDER NO. 2005-712

DECEMBER 15, 2005

IN RE: Application of Michael Kelley d/b/a Captain)	ORDER AMENDING
Telegram, 721 Elmwood Avenue, Columbia,)	CERTIFICATE
South Carolina 29201 (District 2) for a Class)	
C Charter Certificate of Public Convenience)	
and Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of Michael Kelley d/b/a Captain Telegram (the Applicant), filed November 30, 2005, whereby the Applicant seeks approval of an amendment to Class C Charter Certificate of Public Convenience and Necessity No. 7034 (Certificate) to reflect a modification to the name appearing on such Certificate and to amend the passenger restriction appearing on such Certificate.

Specifically, the Applicant requests the approval of the following name modification:

FROM:	Michael Kelley d/b/a Captain Telegram
TO:	Captain Telegram, Inc.

Further, the Applicant requests the approval of an amendment to the passenger restriction. Presently, Certificate No. 7034 reads as:

...to furnish passenger service...as follows:

Between Points and Places in South Carolina
Restricted To: Six (6) Passengers.

The Applicant requests to increase the passenger restriction to incorporate 15 passengers.

A review of the Commission's records reveals that Certificate No. 7034 was issued to the Applicant pursuant to Commission Order No. 2001-052, dated January 17, 2001, which granted the Applicant's authority to render motor passenger service.

It appears from the Applicant's request that the relief requested incorporates a change in the name of the holder of the Certificate and a change in the passenger restriction appearing on such Certificate, but does not involve a change in ownership or operation of the business.

Based upon a thorough review of the matters asserted in the instant Application, the Commission is of the opinion that the relief sought by the Applicant should be approved.

IT IS THEREFORE ORDERED:

1. That the relief sought in the Application for modification of the Certificate of Public Convenience and Necessity No. 7034 of Michael Kelley d/b/a Captain Telegram by changing the name thereon to Captain Telegram, Inc. be, and hereby is, approved.

2. That the relief sought in the Application for modification of the Certificate of Public Convenience and Necessity No. 7034 of Michael Kelley d/b/a Captain Telegram by changing the passenger restriction appearing on such Certificate from six (6) passengers to fifteen (15) passengers be, and hereby is, approved.

3. That said approvals are for a change in the name of the holder of the Certificate and a change in the passenger restriction but does not authorize any change in the operation of the regulated services.

3. That the Applicant shall file, or cause to be filed with the Office of Regulatory Staff, an amended insurance filing regarding liability insurance (i.e. "Form E") reflecting the name change within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

4. That failure of the Applicant either (1) to file or cause to be filed with the Office of Regulatory an amended insurance filing of liability insurance (i.e. "Form E") reflecting the name change within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of this Order as stated above, shall result in the authorization approved in the Order being revoked.

5. That upon compliance with the filing of amended information with the Commission, a modified certificate shall be issued by the Office of Regulatory Staff to the Applicant as provided herein.


6. That prior to compliance with such statutory and regulatory requirements and the receipt of such amended Certificate, the motor carrier services authorized by such Certificate may not be provided under the amended name or amended passenger restriction.

7. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Randy Mitchell, Chairman

ATTEST:


G. O'Neal Hamilton, Vice Chairman

(SEAL)